

Trustees and approved by the County Superintendent.

Sec. 3. The county school supervisor or supervisors provided for in this Act shall possess such qualifications as may be fixed by the State Board of Education.

Sec. 4. It shall be the duties of the supervisor to devote his time to visiting the schools of the county and in assisting the teachers with their class work by teaching demonstration lessons for them, suggesting methods of presenting the work and aiding them in any other ways to promote the efficiency of the schools, and such supervisor or supervisors, shall be under the immediate direction of the county superintendent and the county board or school board of school trustees.

Sec. 5. All laws and parts of laws, General and Special, in conflict with the terms and provisions of this Act are hereby repealed.

Sec. 6. The fact that the special laws providing for the employment of a supervisor, or supervisors, have been declared unconstitutional, creates an emergency and a public necessity demanding that the constitutional rule requiring bills to be read on three several days in each House be suspended, and it is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

SIXTEENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
August 8, 1931.

The Senate met at 9:30 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem. Tom DeBerry.

Bills Introduced.

By Senator Rawlings (reintroduced):

S. B. No. 47, A bill to be entitled "An Act amending Article 2832, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill No. 563 approved May 29, 1931, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Hardin:

S. B. No. 56, A bill to be entitled "An Act making an emergency appropriation of money to the Division of Child Welfare of the State Board of Control, for the support, maintenance and operation of said division for the two years beginning September 1, 1931, and ending August 31, 1933; providing the transfer of a portion of such appropriated amounts from other appropriated funds; prescribing means and manner of expenditure; and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Poage:

S. B. No. 58, A bill to be entitled "An Act amending Articles 2559 and 2560 Revised Civil Statutes of the State of Texas for 1925, providing the way and manner in which cities, towns and villages shall take bids for depositories of funds of such cities, towns and villages and providing for the way and manner in which said funds shall be secured and declaring an emergency."

Read and referred to Committee on Towns and City Corporations.

By Senator Parrish:

S. B. No. 59, A bill to be entitled "An Act amending Chapter 239, Special Laws of the Regular Session of the Forty-second Legislature of the State of Texas, so as to change the dates of convening the district court in Mitchell County of the 32nd Judicial District of Texas; and declaring an emergency."

Read and referred to Committee on Judicial Districts.

By Senator Berkeley:

S. B. No. 60, A bill to be entitled "An Act to amend Sections 11, 13, 14, and 15 of House Bill No. 547, Acts of the Forty-second Legislature, Chapter 73, page 111, Laws of the Regular Session, and is adding thereto certain new sections to be known as Sections 15a, 15b, and 15c; said portion of said act being amended relative to an occupation tax on dealers in cigarettes; providing for the levying and imposition of said tax and the manner and method in which the payment of same shall be evidenced, and prescribing the manner and method in which said stamps shall be placed upon packages or parcels of cigarettes; prescribing the

powers and duties imposed upon the State Treasurer of the State of Texas and providing that one-half of the revenue derived from said tax shall be placed to the credit of the Available School Fund and one-half thereof to the General Revenue Fund of the State of Texas; prescribing certain offenses and providing for punishment and penalties for the violation thereof; prescribing certain penalties for failure to comply with the provisions of said act, and providing the manner and method for the collection thereof; prescribing certain duties upon the Comptroller of the State of Texas with reference to issuing certificates to dealers in cigarettes; providing that said act shall be construed as being severable, and if any portion thereof should be declared void it is the intention of the Legislature that the remaining portions thereof shall remain in full force and effect; prescribing that no tax shall be assessed or collected which shall be prohibited by the Constitution of this State or the Constitution of the United States; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Williamson:

S. B. No. 61, A bill to be entitled "An Act to amend Subdivision (b) of Section 3, S. B. No. 625, Chapter 241, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Neal:

S. B. No. 62, A bill to be entitled "An Act to amend Article 2698, Revised Civil Statutes of Texas of 1925; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Purl:

S. B. No. 63, A bill to be entitled "An Act relating to the inspection, analysis, and standardization of gasoline and other petroleum products; amending Article 1110 Texas Penal Code; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senators Greer and Martin:

S. B. No. 64, A bill to be entitled "An Act to apportion the State of

Texas into congressional districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United States from each district, and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Congressional Districts.

Senator Excused.

On motion of Senator Cousins, Senator Woodul was excused for the day on account of important business.

Messages From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following messages:

Executive Office,

Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

At the Regular Session of the Forty-second Legislature a bill was passed creating the Division of Child Welfare in the Board of Control; empowering the Board of Control to employ a chief and necessary assistants; prescribing qualification of the chief; defining the duty of the Division as to defective, illegitimate, dependent, neglected and delinquent children through the enforcement of all State laws in regard thereto; vesting authority for payment of all expenses; providing for county welfare boards and describing their duties. As this bill went into effect immediately, but no appropriation was provided for which would make this division workable, I therefore submit to you attached bill which sets out a small appropriation for the next biennium in order that this important division may function. I believe that this Act will be of untold benefit to Texas in helping to solve some of the problems of illegitimate, dependent, neglected, and delinquent children.

Respectfully submitted,

R. S. STERLING,
Governor.

Executive Office,

Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

I hereby submit for your consideration the following subject:

(1) Legislation authorizing navigation districts to expend their funds for work done or to be done on improvements made or to be made outside of their geographical boundaries.

(2) Legislation amending Articles 2559 and 2560 Revised Statutes of the State of Texas for 1925, to provide the way and manner in which cities, towns and villages shall take bids for depositories of funds of such cities, towns and villages and providing for the way and manner in which said funds shall be secured.

Respectfully submitted,

R. S. STERLING,
Governor.

Executive Office,

Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

I hereby submit for your consideration the following subject, to-wit:

Legislation amending Chapter 362 of the Acts of the Regular Session of the Forty-second Legislature of Texas.

Respectfully submitted,

R. S. STERLING, Governor.

Executive Office,

Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

For your consideration and attention I hand you herewith a proposed measure which amends Sections 11, 13, 14 and 15 of House Bill No. 547, Acts of the Forty-second Legislature, Chapter 73, page 111, Laws of the Regular Session, and which adds thereto certain sections, and making other provisions amending and correcting what is known as the Cigarette Tax Law.

In order that the Cigarette Tax law may be more workable and less expensive in its operation I commend the attached bill to your honorable body for your action.

Respectfully submitted,

R. S. STERLING, Governor,

Executive Office,

Austin, Texas, August 8, 1931.

To the Members of the Forty-second Legislature:

I hereby submit for your consideration the subject of the laws pertaining to county depositories. County officials from many sections of Texas urge that I submit this sub-

ject in order that certain corrective provisions may be enacted by you.

Respectfully submitted,

R. S. STERLING, Governor.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, August 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 11: Petitioning the Federal Farm Board to withhold from the market all surplus grain and cotton now in storage.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bill Signed.

The Chair, Lieut. Gov. Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 4.

Senate Bill No. 2.

The question recurred upon the pending amendment to S. B. No. 2.

Senator Small sent up the following substitute for the amendment:

Amend Senate Substitute for S. B. No. 2, by adding at the end of Section 2 the following:

"Provided that none of the provisions of this Act shall apply to such farm lands as are properly terraced so as to prevent erosion and/or rows run in conformity with the surface contour of the land so as not to contain over four (4) inches fall to the hundred (100) feet; and/or farm lands which are properly drained where drainage is necessary."

SMALL.

The substitute was read.

Senator Holbrook raised the point of order that the substitute was not germane to the original.

The Chair, Senator Hornsby, sustained the point of order.

The amendment was lost by the following vote:

Yeas—9.

DeBerry.	Martin.
Hardin.	Moore.
Holbrook.	Patton.

Poage.
Rawlings.

Thomason.

Nays—19.

Berkeley.	Parrish.
Cousins.	Pollard.
Cunningham.	Purl.
Gainer.	Russek.
Greer.	Small.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Neal.	Woodruff.
Oneal.	Woodward.
Parr.	

Absent.

Loy. Woodul.

Absent—Excused.

Beck.

Senator Small sent up the following amendment:

Amend Senate Substitute for S. B. No. 2 by adding at the end of Section 2 the following:

"Provided that none of the provisions of this Act shall apply to such farm lands as are properly terraced so as to prevent erosion and/or rows run in conformity with the surface contour of the land so as not to contain over four (4) inches fall to the hundred (100) feet; and/or farm lands which are properly drained where drainage is necessary.

SMALL.

Read and adopted.

Senator Moore sent up the following amendment:

Amend Substitute to S. B. No. 2 as follows:

Line 26, Sec. 1, after the word cotton by adding "and wheat;" line 6 of Sec. 2, by adding after the word cotton "and wheat." Amend caption to conform to the body of the bill.

MOORE,
DeBERRY.

Read and lost by the following vote:

Yeas—10.

DeBerry.	Moore.
Holbrook.	Patton.
Hopkins.	Poage.
Hornsby.	Pollard.
Martin.	Rawlings.

Nays—17.

Berkeley.	Parrish.
Cousins.	Russek.
Cunningham.	Small.
Gainer.	Stevenson.
Greer.	Thomason.
Hardin.	Williamson.
Neal.	Woodruff.
Oneal.	Woodward.
Parr.	

Present—Not Voting.

Purl.

Absent.

Loy. Woodul.

Absent—Excused.

Beck.

Senator DeBerry sent up the following amendment:

Amend substitute to S. B. No. 2, as follows:

Line 26, Sec. 1, after the word "cotton" the words "and grain sorghums" as printed in Journal page 594, line 6 of Sec. 2, by adding after the word "cotton" the words "and grain sorghums." Amend the caption to conform to the body of the bill.

DeBERRY,
MOORE,
HOLBROOK.

Read and lost by the following vote:

Yeas—10.

DeBerry.	Patton.
Holbrook.	Poage.
Hornsby.	Pollard.
Martin.	Purl.
Moore.	Rawlings.

Nays—17.

Berkeley.	Parrish.
Cousins.	Russek.
Cunningham.	Small.
Gainer.	Stevenson.
Greer.	Thomason.
Hardin.	Williamson.
Neal.	Woodruff.
Oneal.	Woodward.
Parr.	

Absent.

Hopkins. Woodul.
Loy.

Absent—Excused.

Beck.

Senator Cunningham sent up the following amendment:

Amend S. B. No. 2, Section 3 thereof, by striking out all of said section 3 after the word "than" in line 4 of said section, and by inserting in lieu thereof, the words "\$50.00 nor more than \$1000.00."

CUNNINGHAM.

Read and adopted.

Senator Purl sent up the following amendment:

Add new section 4a: "all court cost shall be borne by the State."

PURL.

Read and lost.

The bill failed to pass to engrossment by the following vote:

Yeas—10.

Cunningham.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Parr.	Williamson.
Parrish.	Woodward.

Nays—14.

Berkeley.	Oneal.
DeBerry.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hornsby.	Purl.
Martin.	Rawlings.
Moore.	Woodruff.

Present—Not Voting.

Neal.

Absent—Excused.

Loy. Woodul.

(Pairs Recorded.)

Senator Cousins present, who would vote yea with Senator Hopkins absent, who would vote nay.

Senator Thomason present, who would vote nay with Senator Beck absent, who would vote yea.

Senate Bill No. 59.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Parr:

S. B. No. 59, A bill to be entitled "An Act amending Chapter 239, Special Laws of the Regular Session of the Forty-second Legislature, so as to change the dates of convening the district court in Mitchell county, etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended.

The committee report was adopted.

On motion of Senator Parrish the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 59 was put on its second reading by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck. Woodul.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 59 was put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Martin.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Oneal.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Holbrook.	Poage.
Hopkins.	Pollard.
Hornsby.	Purl.
Loy.	Rawlings.

Russek.	Williamson.
Small.	Woodruff.
Stevenson.	Woodward.
Thomason.	

Absent—Excused.

Beck.	Woodul.
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Read third time and finally passed by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck.	Woodul.
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Senate Bill No. 47.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Rawlings:

S. B. No. 47, A bill to be entitled "An Act amending Article 2832, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill No. 563, approved May 29, 1931, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended.

The committee report was adopted.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 47 was put on its second reading by the following vote:

Yeas—29.

Berkeley.	DeBerry.
Cousins.	Gainer.
Cunningham.	Greer.

Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.
Moore.	Stevenson.
Neal.	Thomason.
Oneal.	Williamson.
Parr.	Woodruff.
Parrish.	Woodward.
Patton.	

Absent—Excused.

Beck,	Woodul.
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The bill was read second time and passed to engrossment.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 47 was put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck.	Woodul.
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Read third time and finally passed by the following vote:

Yeas—29.

Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Oneal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.

Stevenson. Woodruff.
Thomason. Woodward.
Williamson.

Absent—Excused.

Beck. Woodul.

Recess.

On motion of Senator Woodward, the Senate, at 12:24 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 37.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Berkeley:

S. B. No. 37, A bill to be entitled "An Act providing for the preservation of, and preventing the destruction, mutilation and removal of, certain native plants and cacti, prehistoric bones and relics, and certain other archaeological matters as defined herein; providing the manner in which the same may be removed, mutilated, or destroyed; providing for the conservation of the soil and other natural resources; describing the territory in which this Act shall be effective, regulating the transportation of said matters, and for the carrying and exhibition of certain instruments to certain officers; prescribing offenses, fines, penalties and punishment; and applying an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 37 was put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley. Hardin.
Cousins. Hopkins.
Cunningham. Hornsby.
DeBerry. Loy.
Gainer. Martin.
Greer. Holbrook.

Moore. Rawlings.
Neal. Russek.
Oneal. Small.
Parr. Stevenson.
Parrish. Thomason.
Patton. Williamson.
Poage. Woodruff.
Pollard. Woodward.
Purl.

Absent—Excused.

Beck. Woodul.

Read third time and finally passed by the following vote:

Yeas—23.

Berkeley. Oneal.
Cunningham. Parr.
Gainer. Parrish.
Greer. Patton.
Hardin. Poage.
Holbrook. Purl.
Hopkins. Rawlings.
Hornsby. Stevenson.
Loy. Williamson.
Martin. Woodruff.
Moore. Woodward.
Neal.

Nays—1.

DeBerry.

Absent.

Cousins. Small.
Pollard. Thomason.
Russek.

Absent—Excused.

Beck. Woodul.

House Bill No. 37.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 37, A bill to be entitled "An Act amending House Bill No. 943, passed at the Regular Session of the Forty-second Legislature of the State of Texas, being Chapter 159, page 311, of the Special Laws of the State of Texas; repealing all laws in conflict with said Act, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Stevenson the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 37 was put

on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck. Woodul.

Read third time and finally passed.

House Bill No. 21.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 21, A bill to be entitled "An Act amending Section 5 of Chapter 13, Local and Special Laws, Acts 2nd Called Session, 41st Legislature, relating to the creation of the Brazos River Conservation and Reclamation District and the establishment of the boundaries thereof; reappropriating for said purpose the unexpended balance of twenty thousand (\$20,000) dollars appropriated for said purpose by Chapter 35, General Laws, passed at the Regular Session of the 42nd Legislature, and limiting the time in which said appropriation may be expended to prior to June 1, 1932, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Gainer the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 21 was put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Cunningham.
Cousins.	DeBerry.

Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.
Parrish.	

Absent—Excused.

Beck. Woodul.

Read third time and finally passed by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck. Woodul.

Senate Bill No. 49.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Williamson:

S. B. No. 49, A bill to be entitled "An Act validating all issues of funding and refunding notes, bonds, warrants, time warrants and treasury warrants heretofore issued or authorized to be issued and attempted to be issued by any and all counties in the State of Texas and any and all cities and towns in the State whether incorporated under General or Special Laws, and all cities operating under charters adopted under the provisions of Article 11, Section 5 of the Constitution of Texas, issued and attempted to be issued under au-

thority of H. B. No. 312 of the Forty-second Legislature; and validating all orders of the commissioners' courts of such counties and all orders of the governing bodies of such cities and towns pertaining to such issues of such funding or refunding notes, bonds, warrants, time warrants and treasury warrants, and all orders by said commissioners' courts and by said governing bodies of said cities and towns levying and assessing taxes to provide for the payment of interest and principal of such notes, bonds, warrants, time warrants and treasury warrants as they respectively mature; and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended.

The committee report was adopted.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 49, was put on its second reading by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck. Woodul.

The bill was read second time and passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 49 was put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Cunningham.
Cousins.	DeBerry.

Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.
Parrish.	

Absent—Excused.

Beck. Woodul.

Read third time and finally passed by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck. Woodul.

Senate Bill No. 52.

The Chair laid before the Senate the following bill:

By Senators Purl, Patton and Woodul:

S. B. No. 52, A bill to be entitled "An Act amending Article 4553 of the Chapter 10 commonly known and designated as the Optometry Bill, so as to provide for a State Board of Examiners in Optometry composed of six members and providing their necessary qualifications, and amending Article 4554 of said chapter so as to provide the terms of office of said members of said board and to repeal all laws in conflict therewith and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Purl, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 52 was put on its third reading and final passage by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck. Woodul.

Read third time and finally passed by the following vote:

Yeas—29.

Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Beck. Woodul.

Senate Bill No. 17.

The Chair laid before the Senate on its second reading the following bill:

By Senator Neal:

S. B. No. 17, A bill to be entitled "An Act to prohibit the willful taking, injury, or destruction of trees,

shrubs, vines, flowers, moss or turf on land of another, whether enclosed or not, or on land reserved, set aside or maintained by the State as a public highway or public park, or as a refuge or sanctuary for wild animals, birds or fish, without previous written permission of the owner of such land or the superintendent or custodian of such park, refuge, or sanctuary; to prohibit the transportation, carriage or conveyance or the sale or the exposure for sale of certain wild plants, trees or parts thereof; making exceptions for scientific purposes; requiring certain officers and employees of the State to enforce this Act, and prescribing penalties for violation thereof; and declaring an emergency."

Read second time.

The committee amendments were adopted.

S. C. R. No. 6.

The Chair laid before the Senate by unanimous consent:

S. C. R. No. 6, relating to appointment of a tax survey committee.

Senator Parr raised the point of order that the resolution did not come within the Governor's call.

The Senate voted that the resolution was a fit subject for consideration at this session.

Senator Parr moved to indefinitely postpone further consideration of resolution.

House Bill No. 25.

The Chair laid before the Senate as special order the following bill:

H. B. No. 25, A bill to be entitled "An Act further prescribing the powers and duties of the Railroad Commission of Texas; further defining and prohibiting waste of oil and gas, amending Article 6014, Revised Civil Statutes of Texas, as amended by Chapter 313, Acts of 1929, Forty-first Legislature of the State of Texas; further defining physical waste of oil and gas, both underground and surface; amending Article 6008, Revised Civil Statutes of 1925, of the State of Texas, requiring gas from gas wells to be confined under circumstances and conditions therein stated; providing that said Commission shall inquire into the production, storage or transportation of oil and gas and shall prohibit the waste thereof; providing

for notice and hearing and for the making of rules, regulations and orders to prevent waste, etc."

Senator Purl raised the point of order that a quorum was lacking.

The roll call showed 27 present.

Senator Woodward sent up the following amendments:

I ask unanimous consent to make the following corrective changes in House Bill No. 25, to-wit:

Corrections on Page 2.

2. By changing the word "by" to "be," line 7, page 2.

3. Correct the spelling of the word "untized," line 7.

4. By changing the word "of" to "or" line 11.

5. By changing the word "the" to "any" in line 19.

6. By making a period instead of a comma after the word "out" line 20.

7. Begin a new sentence following the word "set out."

8. Insert a comma after the word "describe" line 21 and a comma after the word "of" line 21.

9. Insert the word "definitions" after word "above" in subsection "q," page 2, line 22.

10. By striking out the words "underground waste," under subdivision J, lines 25 and 26, and renumber the following subdivisions to correspond.

Corrections on Page 4.

11. Insert after the word "gas" line 1, the following: "And may require any well or wells under the control of any party whenever and."

13. Strike out the words "well and/or" lines 28 and 29.

Corrections on page 5.

14. Strike out all of line 16 to 25 inclusive because it appears to be same language as appears in Section 14.

15. Strike out the words "receive or" line 25.

16. After the word "possession" line 26, add the words "from any property where produced."

17. Add the words "purchase or" at the end of line 28, following the word "unlawful."

Corrections on Page 7.

18. Correct the spelling of the word "complainant," line 4.

19. Change the word "herein" to read "therein," line 9, page 8.

20. Strike out first two words line 11 "requested or," page 8.

21. Change the figure "Six" in line 34 to figure "Seven," page 8.

Corrections on Page 10.

22. Strike out after the word "rule" line 26 the abbreviation "etc."

23. Strike out the letter "e" on the word "Prima" at end of line 26.

24. Add to the end of Section 15 the following: "Or any amendments thereto."

WOODWARD.

Read and adopted.

Amend H. B. No. 25 by striking out Section 15.

WOODWARD.

Read and adopted.

Amend H. B. No. 25 by adding to the end of Section 14 the following: "And the commission shall have the power to enjoin the transportation of such oil."

WOODWARD.

Read and adopted.

Amend H. B. No. 25 by striking out of said bill all of Sections 5c and 5d.

WOODWARD.

Read and adopted.

Amend H. B. No. 25 by adding after the word "gas" in line 7, page 5 of the printed bill the following: "And the commission shall not limit or restrict the production of oil from any such field when brought into production by such exploration until the total production therefrom exceeds ten thousand barrels of oil per day, unless such restriction results from the enforcement of the orders, rules or regulations of the commission dealing with the method or manner of producing, storing or transporting oil therefrom in order to prevent actual or physical waste occurring in such territory."

WOODWARD.

Read and adopted.

Amend H. B. No. 25 by inserting a new section between Sections 15 and 16, page 11, to read as follows: Sec. 15A. Article 6032, Revised Civil Statutes of 1925 be amended so as to hereafter read as follows:

Art. 6032. There is hereby levied a tax of one-tenth of one per cent of the market value of crude petroleum

produced within this State, which shall be in addition to and collected in the same manner as the present gross receipts production tax on crude petroleum. Producers of crude petroleum are hereby required to make reports of production in the same manner and under the same penalties as for the gross production tax. The tax thus collected shall be paid into the State Treasury as other revenue, and shall be paid out on warrants as other State funds. Any yearly excess of the tax over and above the requirements of the Commission shall become a part of the general revenue of the State and any deficiency shall be made up out of the general revenue of the State.

WOODWARD.

Read and adopted.

Senator Small sent up the following amendments:

Amend Section 9, line 28, by adding after "elsewhere" the following: "to collect penalties and/or."

SMALL.

Read and adopted by the following vote:

Yeas—20.

Berkeley.	Neal.
Cousins.	Oneal.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Williamson.
Moore.	Woodward.

Nays—5.

DeBerry.	Pollard.
Martin.	Stevenson.
Parr.	

Absent.

Cunningham.	Thomason.
Parrish.	Woodruff.

Absent—Excused.

Beck.	Woodul.
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Amend H. B. No. 25 by adding after the word "gas" the end of Section L, section 2, the following: "However the utilization of gas from a well producing both oil and gas for manufacturing natural gasoline shall not be considered to be waste."

SMALL.

Read and adopted.

Senator Woodward sent up the following amendment:

Amend H. B. No. 25 as follows: By adding in Section 2, line 29, after the word "however" the following: "this shall not be construed to mean economic waste and".

WOODWARD.

Read and adopted by the following vote:

Yeas—23.

Berkeley.	Cunningham.
Cousins.	DeBerry.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.
Parr.	

Nays—4.

Gainer.	Small.
Oneal.	Stevenson.

Absent.

Parrish.	Russek.
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Absent—Excused.

Beck.	Woodul.
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Senator Woodward sent up the following amendment:

Amend H. B. No. 25 by adding after the words "parties," line 10, page 7, the following: "and the ability of the party to make such bond."

WOODWARD.

Read and adopted.

OPINION ORDERED PRINTED.

On motion of Senator Woodward, the opinion of the Attorney General's Department concerning this bill was ordered printed in the Journal. (See Appendix.)

Senator Holbrook moved to adjourn until 9 o'clock Monday morning. The motion was lost.

Senator Rawlings sent up the following amendment:

Amend House Bill No. 25, as amended, by striking out all below the enacting clause and inserting in lieu thereof the following:

Article 6014 of the Revised Civil Statutes of 1925, as amended by Chapter 313, Acts of the Regular Session of the Forty-first Legislature, is hereby amended so that the same shall hereafter read as follows:

"Article 6014. Neither natural gas nor crude petroleum shall be produced, transported, stored, or used in such manner or under such conditions as to constitute waste; provided, however, this shall not be construed to mean economic waste. As used herein the term "waste" shall include:

"(a) The operation of any oil well with a gas-oil ratio exceeding that fixed for such well by order of the Commission, and the Commission is hereby given authority to fix and determine by order such ratio;

"(b) The escape into the open air of natural gas except as may be necessary in the drilling or operation of a well;

"(c) Drowning with water of any stratum capable of producing oil or gas or both oil and gas in paying quantities;

"(d) Underground waste caused by the premature intrusion of water into any producing well or its immediate offset, or offsets, from improper drilling or producing methods of the owner of such well;

"(e) Permitting any natural gas well to wastefully burn;

"(f) The wasteful utilization of natural gas;

"(g) The creation of unnecessary fire hazards;

"(h) Actual physical waste incident to or resulting from so drilling, equipping, locating, spacing, or operating wells as to reduce, or tend to reduce, the ultimate total recovery of crude petroleum oil or natural gas from any well or pool;

"(i) Waste incident to or resulting from the unnecessary, inefficient, excessive, or improper use of the gas, gas energy, or water drive in any well or pool, however, it is not the intent of this Act to require repressuring of an oil pool, or that the separately owned properties in any pool be unitized under one management, control, or ownership;

"(j) Surface waste, including unnecessary or excessive surface losses or destruction of crude petroleum oil or natural gas without beneficial use.

Provided nothing in this Act shall

require ratable production of oil and gas from different wells.

Sec. 2. Article 6008 of the Revised Civil Statutes of 1925 is hereby amended so that it shall hereafter read as follows:

"Article 6008. Any party or person in possession as owner, lessee, agent, trustee, receiver, or manager, or any person, co-partnership, or corporation in possession of any well producing natural gas only, in order to prevent said gas from wasting by escape, shall, within ten days after encountering such gas, confine said gas in said well until said gas shall be utilized for light or fuel; provided, however, the Commission may permit the use of such gas for the purpose of being introduced into an oil or gas bearing stratum in order to maintain or increase the rock pressure, or otherwise increase the ultimate recovery of oil or gas from such stratum and for any other purpose, which, under circumstances surrounding each particular case, might be found by the Commission, after hearing, to be practical and conducive to the public welfare. Any person violating the provisions of this Article shall be liable to a penalty of One Thousand Dollars (\$1,000.00) for each offense to be recovered with the costs of suit in a civil action in the name of the State of Texas, in Travis County, and each day any such violation continues shall be a separate offense, and for which the party in violation shall be held liable for the penalty herein prescribed."

Sec. 3. Article 6036 of the Revised Civil Statutes of 1925, as amended by Section 4 of Chapter 313, General Laws, Regular Session of the Forty-first Legislature, is hereby amended so as to hereafter read as follows:

"Article 6036. In addition to any penalty that may be imposed by the Commission for contempt for the violation of its orders, any person, firm, corporation, joint stock association, or any officer, agent, or employee thereof, violating any of the provisions of this Act or of Title 102 of the Revised Civil Statutes of 1925, or of any of the rules, regulations or orders of said Commission made in pursuance thereof, shall be subject to a penalty of not more than One Thousand (\$1,000.00) Dollars for each and every day of such viola-

tion, to be recovered in any court of competent jurisdiction in the county in which the violation occurs, such suit by direction of the Commission to be instituted and conducted in the name of the State of Texas, by the Attorney General of the State of Texas, or by the County or District Attorney of the county in which the violation occurs.

"Whenever it shall appear that any party engaged in the production, storage, or transportation of crude petroleum oil, or natural gas is violating any statutes of this State or any valid rule, regulation, or order of the Commission promulgated to correct, prevent, or lessen the waste of crude petroleum oil or natural gas, the Commission, through the Attorney General, may bring suit against such party in any court of competent jurisdiction in Travis County, Texas, or in the county of the residence of the defendants, or any of them, or in the county in which such violation is alleged to have occurred, but not elsewhere, to restrain such party from violating such rule, regulation, or order, or any part thereof, and in such suit the Commission may obtain such preliminary restraining order or temporary or final injunction as the facts may warrant."

Sec. 4. Any party feeling aggrieved by any order, rule, or regulation of the Railroad Commission shall be entitled to judicial review thereof in the manner provided under existing law.

No injunction shall be granted against the Railroad Commission to restrain it from enforcing orders made and promulgated by the Commission under the conservation statutes of this State except after notice to the Commission and hearing; provided, however, the court may enter a temporary restraining order, to remain in force until further hearing as specified in the order, restraining the Commission from enforcing any order, rule, or regulation promulgated by it, but when such temporary restraining order is granted the court shall issue notice thereof and make said notice returnable in not less than five days from the date of the issuance thereof, when the court shall hold a hearing to determine whether a temporary injunction shall be granted.

Provided that before granting any temporary injunction the judge granting same shall order and require such bond as the circumstances require.

Sec. 5. Whenever any order, rule, or regulation promulgated by the Commission has been finally adjudged to be valid, in whole or in part, in any suit to which the Commission is a party, and thereafter any party to the suit or other proceedings in which such matter has been so adjudged, shall violate such rule, regulation, order, or judgment, or shall thereafter suffer any property owned or controlled by him to be used in violation of any such rule, regulation, order, or judgment, the Commission shall have the power, and it shall be its duty to make application to the judge of the trial court, setting out such rule, regulation, order, or judgment, and that such party, subsequent to the date of such judgment, has violated, or is violating such rule, regulation, order, or judgment, and praying that a receiver be appointed as provided in this section. Thereupon, the judge of such trial court may, after notice and hearing, appoint a receiver of the property involved or used in violating such rule, regulation, order, or judgment, and shall fix a proper bond for such receiver. As soon as such receiver has qualified, he shall take possession of such property, and such receiver thereafter shall perform his duties as receiver of such property under the orders of said court, strictly observing such rule, regulation, order, or judgment. Any party whose property has been so placed in the hands of a receiver may move to dissolve such receivership and to discharge the receiver upon such terms as the court may prescribe.

Sec. 6. Article 6029 of the Revised Civil Statutes of 1925 is hereby amended so that it shall hereafter read as follows:

"Article 6029. Rules and Regulations—The Commission shall make and enforce rules and regulations for the conservation of oil and gas.

"1. To prevent the physical waste, as hereinbefore defined, of oil, and gas in drilling and producing operations and in the piping and distribution thereof; provided that the Commission shall not be authorized to require ratable or proportionate pro-

duction of oil from different wells or equalized use of gas energy by different operators.

"2. To require dry or abandoned wells to be plugged in such way as to confine oil, gas, and water in the strata in which they are found and to prevent them from escaping into other strata.

"3. For the drilling of wells and preserving a record thereof.

"4. To require such wells to be drilled in such manner as to prevent injury to adjoining property.

"5. To prevent oil and gas and water from escaping from the strata in which they are found into other strata.

"6. To establish rules and regulations for shooting wells and for separating oil from gas.

"7. To require records to be kept and reports made by oil and gas drillers, operators, and pipe line companies and by its inspectors.

"8. It shall do all things necessary to prevent actual physical waste of oil and gas as hereinbefore defined and shall establish such rules and regulations as will be necessary to carry into effect this law and to conserve the oil and gas of this State by preventing actual physical waste as herein defined."

Section 7. Nothing in this Act contained shall be construed to relieve any party from the duties and obligations imposed by Chapter 36, Page 17, of the Acts of the Forty-first Legislature at its fifth Called Session, commonly known as the Common Purchaser Law. Nothing in this Act contained shall modify or change in any way the terms and provisions of Senate Bill No. 337, passed by the Forty-second Legislature at its Regular Session, commonly known as the Marginal Well Bill. This act shall not repeal any existing law except where it supercedes such existing law or is in conflict therewith.

Sec 8. All persons entrusted with the enforcement of the orders, rules, and regulations of the Commission and all persons assembling data, information and facts upon which the Commission shall make its orders under the conservation laws of this State shall be regular employees of the State of Texas and paid by the State of Texas, and no persons other than the regular employees of the State of Texas shall be charged with

or relied upon for the performance of any such duties.

Sec. 9. The Commission shall not have power to attempt by order, or otherwise, directly or indirectly, to limit the production of oil to equal the existing market demand for oil; and that power is expressly withheld from the Commission.

Sec. 10. If any of the sections, clauses, or any provisions of this Act or of any other Act referred to by this Act shall be held to be unconstitutional, or otherwise invalid or unenforceable, such holding shall not have the effect of nullifying or in any wise affecting the remainder of this Act, and the parts of this Act not so held to be unconstitutional or invalid shall remain in full force and effect.

Sec. 11. Article 6032 of the Revised Civil Statutes of 1925 is hereby amended so that the same shall hereafter read as follows:

"Article 6032. There is hereby levied a tax of one-tenth of one cent per barrel, of 42 standard gallons, of crude petroleum produced within this State, which shall be in addition to and collected in the same manner as the present gross receipts production tax on crude petroleum. Producers of crude petroleum are hereby required to make reports of production in the same manner and under the same penalties as for the gross production tax. The tax thus collected shall be paid into the State Treasury as other revenue, and shall be paid out on warrants as other funds. The funds derived from this tax shall be used for the administration of this law and the laws mentioned and referred to by this Act. Any yearly excess of the tax over and above the requirements of the Commission shall become a part of the general revenue of the State and any deficiency shall be made up out of the general revenues of the State. Article 6032 of the Revised Civil Statutes of 1925 is hereby repealed.

Sec. 12. The fact that the Railroad Commission of Texas is badly overworked in the administration of the transportation laws of this State, and that the present laws for the prevention of waste of the natural resources of Texas are inadequate, and that the State of Texas, in its endeavor to prevent waste of such natural resources, is being hindered

by suits questioning its powers and duties with respect to such matters, create an emergency and an imperative public necessity that the Constitutional rule which requires bills to be read on three several days be suspended, and that this Act shall take effect and be in force from and after its passage, and it is hereby so enacted.

Rawlings, Hornsby, Moore, Martin, Hopkins, Poage, Greer, Purl, Loy, Hardin, Woodruff, Holbrook, Pollard.

On motion of Senator Woodruff, a call of the Senate for the purpose of maintaining a quorum until H. B. No. 25 was disposed of was ordered.

By unanimous consent, Senator DeBerry was excused on account of illness.

On motion of Senator Cousins, all but three of the pages were excused.

Senator Woodward moved that all absent members be sent for. The motion was lost by the following vote:

Yeas—12.

Berkeley.	Purl.
Cunningham.	Small.
Gainer.	Stevenson.
Hornsby.	Thomason.
Parr.	Williamson.
Poage.	Woodward.

Nays—14.

Cousins.	Moore.
Greer.	Neal.
Hardin.	Parrish.
Holbrook.	Patton.
Hopkins.	Pollard.
Loy.	Rawlings.
Martin.	Woodruff.

Present—Not Voting.

Oneal.

Absent.

Russek.

Absent—Excused.

Beck.	Woodul.
DeBerry.	

On motion of Senator Moore the previous question was ordered on the further consideration of the amendment and the bill by the following vote:

Yeas—19.

Berkeley.	Moore.
Cunningham.	Neal.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Holbrook.	Poage.
Hopkins.	Pollard.
Hornsby.	Rawlings.
Loy.	Woodruff.
Martin.	

Nays—8.

Cousins.	Stevenson.
Oneal.	Thomason.
Purl.	Williamson.
Small.	Woodward.

Absent.

Russek.

Absent—Excused.

Beck.	Woodul.
DeBerry.	

The amendment was adopted by the following vote:

Yeas—17.

Cousins.	Neal.
DeBerry.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.
Moore.	

Nays—9.

Berkeley.	Stevenson.
Cunningham.	Thomason.
Oneal.	Williamson.
Parr.	Woodward.
Small.	

Present—Not Voting.

Gainer.

Absent.

Russek.

Absent—Excused.

Beck.	(Pair Recorded.)
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Senator Martin present, who would vote nay with Senator Woodul absent who would vote yea.

Senator Parrish rose on a point of personal privilege.

Senator Oneal raised the point of order that under the previous question Senator Parrish was not entitled to speak on personal privilege.

The Chair, Lieutenant Governor Edgar E. Witt, sustained the point of order.

The bill was passed to third reading by the following vote:

Yeas—18.

Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.

Nays—8.

DeBerry.	Stevenson.
Oneal.	Thomason.
Parr.	Williamson.
Small.	Woodward.

Present—Not Voting.

Gainer.

Absent.

Russek.

Absent—Excused.

Beck.

(Pair Recorded.)

Senator Martin present, who would vote yea with Senator Woodul absent who would vote nay.

Senator Pollard moved to reconsider the vote by which the bill was passed to engrossment.

Senator Holbrook moved to table the motion.

Senator Stevenson raised the point of order that the previous question had been ordered on the final passage of the bill.

The Chair, Lieutenant Governor, Edgar E. Witt, overruled the point of order, holding that it was impossible for the previous question to be ordered on the passage of a bill farther than engrossment, prior to engrossment.

The motion to table the motion to reconsider prevailed by the following vote:

Yeas—15.

Cousins.	Neal.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.
Moore.	

Nays—11.

Berkeley.	Small.
Cunningham.	Stevenson.
DeBerry.	Thomason.
Gainer.	Williamson.
Oneal.	Woodward.
Parr.	

Absent.

Parrish.

Russek.

Absent—Excused.

Beck.

(Pair Recorded.)

Senator Martin present, who would vote yea with Senator Woodul absent who would vote nay.

Senator Woodruff moved that the constitutional rule requiring bills to be read on three several days be suspended.

Senator Patton moved the previous question on the motion. The previous question failed to be ordered.

Adjournment.

Senator Purl moved to adjourn until 9:30 o'clock Monday morning.

Senator Holbrook moved as a substitute that the Senate adjourn until 8:45 o'clock p. m., today.

The motion to adjourn until 9:30 o'clock Monday was lost by the following vote:

Yeas—11.

Berkeley.	Parrish.
Cunningham.	Purl.
DeBerry.	Stevenson.
Gainer.	Thomason.
Oneal.	Woodward.
Parr.	

Nays—17.

Cousins.	Hornsby.
Greer.	Loy.
Hardin.	Martin.
Holbrook.	Moore.
Hopkins.	Neal.

Patton.	Small.
Poage.	Williamson.
Pollard.	Woodruff.
Rawlings.	

Absent.

Beck.	Woodul.
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Absent—Excused.

Russek.

The motion to adjourn until 8:45 p. m., today prevailed by the following vote:

Yeas—15.

Cousins.	Neal.
Hardin.	Parr.
Holbrook.	Patton.
Hopkins.	Poage.
Hornsby.	Pollard.
Loy.	Rawlings.
Martin.	Woodruff.
Moore.	

Nays—11.

Berkeley.	Small.
Cunningham.	Stevenson.
Greer.	Thomason.
Oneal.	Williamson.
Parrish.	Woodward.
Purl.	

Present—Not Voting.

DeBerry.	Gainer.
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Absent.

Russek.

Absent—Excused.

Beck.	Woodul.
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At 8:43 o'clock p. m., the Senate adjourned.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas.

Saturday, August 8, 1931.

The Senate met at 8:45 o'clock p. m., pursuant to adjournment, and was called to order by the Lieutenant Governor Edgar E. Witt.

The roll was called, no quorum being present.

On motion of Senator Woodruff, a call of the Senate was ordered for the purpose of obtaining and maintaining a quorum.

The quorum was obtained immediately thereafter, the following Senators answering to their names:

Berkeley.	Neal.
DeBerry.	Oneal.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Small.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.

Absent.

Cousins.	Russek
Cunningham.	Stevenson.
Parr.	Thomason.
Parrish.	

Absent—Excused.

Beck.	Woodul
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Prayer by Mrs. Rountree, of the House.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Point of Order.

Senator Woodward raised the point of order that the Senate could not proceed until a calendar was placed on the desks of the Senators.

Senator Woodruff moved to suspend the rule requiring a calendar to be placed on the desks. The motion prevailed by the following vote:

Yeas—16.

DeBerry.	Moore.
Greer.	Neal.
Hardin.	Patton.
Holbrook.	Poage.
Hopkins.	Pollard.
Hornsby.	Purl.
Loy.	Rawlings.
Martin.	Woodruff.